



State of Vermont
Agency of Human Services
280 State Drive
Waterbury, VT 05671-1000

Global Commitment Register

September 7, 2016

GCR 16-011
FINAL

Health Benefits Eligibility and Enrollment Rule Update

Policy Summary:

The Agency of Human Services (AHS) filed a final rule with the Office of the Secretary of State (SOS) and the Legislative Committee on Administrative Rules (LCAR) to amend the Health Benefits Eligibility and Enrollment Rule (HBEE) which sets forth eligibility criteria for Vermont's health benefit programs. The rule will be effective as of August 1, 2016, and supersedes HBEE as amended by emergency rulemaking effective May 11, 2016.

HBEE implements health care reform reflected in federal and state law including the Patient Protection and Affordable Care Act. Specifically, this rulemaking was needed in order to align HBEE with federal and state law (including federal regulations published after AHS filed the proposed rule), align with federal guidance, provide clarification, correct information, improve clarity, make technical corrections, incorporate revisions effected on May 11, 2016 in emergency rulemaking, and incorporate changes made in response to comments received from stakeholders.

The Secretary of State rulemaking website and other additional information can be found below.

Effective Date:

August 1, 2016

Authority/Legal Basis:

Medicaid: C.F.R., Title 42, Chapter IV, Subchapter C, Part 435

Health Benefits Exchange: C.F.R., Title 45, Subtitle A, Subchapter B, Part 155

Adopting and rulemaking: 3 V.S.A. §§ 801(b) (11), 838, 3052, 3053; 33 V.S.A. §§ 105, 1901, 1810

Population Affected:

Medicaid and Qualified Health Plan (with and without financial assistance) applicants and enrollees.

Fiscal Impact:

No fiscal impact.

Public Comment Period:

The public comment period ended on May 6, 2016. Comments received and responses can be found below by clicking the link to the DCF bulletin.

Additional information:

DCF/ESD Bulletin No. 16-02F, which has a rulemaking summary and public comments received and responses can be viewed electronically at: <http://dcf.vermont.gov/sites/dcf/files/pdf/B16-02.pdf>.

HBEE that is currently in effect can be viewed electronically at:

<http://humanservices.vermont.gov/on-line-rules/esd/health-benefits-eligibility-and-enrollment-hbee/view>

To get more information about the rulemaking process, see the website of the Office of the Secretary of State at <https://www.sec.state.vt.us/administrative-rules.aspx>.